



# **STATE OF INDIANA**

## **Request for Proposal 16-088**

### **INDIANA DEPARTMENT OF ADMINISTRATION**

**On Behalf Of  
The Indiana Department of Environmental Management**

### **Solicitation For: Laboratory Analytical Services**

**Response Due Date: May 23, 2016  
3:00PM EST**

Greg Moorman, Account Manager  
Indiana Department of Administration  
Procurement Division  
402 W. Washington St., Room W468  
Indianapolis, Indiana 46204

SECTION ONE  
**GENERAL INFORMATION AND REQUESTED PRODUCTS/SERVICES**

**1.1 INTRODUCTION**

In accordance with Indiana statute, including IC 5-22-9, the Indiana Department of Administration (IDOA), acting on behalf of the Indiana Department of Environmental Management (IDEM), requires Laboratory Analytical Services to perform analyses of biological (fish) tissues and/or surficial aquatic sediment samples for selected metals, polychlorinated biphenyls, selected pesticides, and other bioaccumulating chemicals of concern for the Indiana Department of Environmental Management, Office of Water Quality (IDEM/OWQ). It is the intent of IDOA to solicit responses to this Request for Proposals (RFP) in accordance with the statement of work, proposal preparation section, and specifications contained in this document. This RFP is being posted to the IDOA website (<http://www.IN.gov/idoa/2354.htm>) for downloading. A nominal fee will be charged for providing hard copies. Neither this RFP nor any response (proposal) submitted hereto are to be construed as a legal offer.

**1.2 DEFINITIONS AND ABBREVIATIONS**

Following are explanations of terms and abbreviations appearing throughout this RFP. Other special terms may be used in the RFP, but they are more localized and defined where they appear, rather than in the following list.

IAC	Indiana Administrative Code
IC	Indiana Code
CUF	Commercially Useful Function – A business function that supports the scope of this solicitation
Full Time Equivalent (FTE)	The State defines FTE as a measurement of an employee's productivity when executing the scope of work in this RFP for a specific project or contract. An FTE of 1 would mean that there is one worker fully engaged on a project. If there are two employees each spending 1/2 of their working time on a project that would also equal 1 FTE
Implementation	The successful implementation of Laboratory Analytical Services at the Indiana Government Center as specified in the contract resulting from this RFP
Installation	The delivery and physical setup of products or services requested in this RFP

Other Governmental Body	An agency, a board, a branch, a bureau, a commission, a council, a department, an institution, an office, or another establishment of any of the following: 1) The judicial branch 2) The legislative branch 3) A political subdivision (includes towns, cities, local governments, etc.) 4) A state educational institution
Products	Tangible goods or manufactured items as specified in this RFP
Proposal	An offer as defined in IC 5-22-2-17
Respondent	An offeror as defined in IC 5-22-2-18. The State will not consider a proposal responsive if two or more offerors submit a joint or combined proposal. One entity or individual must be clearly identified as the respondent who will be ultimately responsible for performance of the contract
Services	Work to be performed as specified in this RFP
State	The State of Indiana
State Agency	As defined in IC 4-13-1, "state agency" means an authority, board, branch, commission, committee, department, division, or other instrumentality of the executive, including the administrative, department of state government
Total Bid Amount	The amount that the respondent proposes on Attachment D that represents their total, all-inclusive price.
Vendor	Any successful respondent selected as a result of the procurement process to deliver the products or services requested by this RFP

### 1.3 PURPOSE OF THE RFP

The purpose of this RFP is to select a vendor that can satisfy the State's need for Laboratory Analytical Services. It is the intent of IDEM to contract with one Vendor (henceforth referred to as "Vendor") that can provide quality Laboratory Analytical Services for IDEM/OWQ.

#### 1.4 SUMMARY SCOPE OF WORK

In order to support the programs of the IDEM/OWQ, the State of Indiana seeks to acquire appropriate analytical laboratory services to test biological (fish) tissues and aquatic sediment samples for contaminants. These laboratory services are necessary to provide valid and timely data. The analytical data will be used by the Indiana Department of Environmental Management (IDEM), Indiana State Department of Health (ISDH), and the Indiana Department of Natural Resources (IDNR) in evaluating the continuation of existing, or creation of new Fish Consumption Advisories for the citizens of Indiana. Results will also be used by the various program areas of IDEM to determine the extent of contamination in biota (primarily fish) and aquatic sediment from a variety of sources including, but not limited to, point or non-point discharges from wastefills, spill sites, storage facilities, wastewater treatment plants, non-point sources, etc. The results will support IDEM activities in the areas of compliance, enforcement, promotion of safe environmental practices, and protection of the environment and public health.

The type of samples to be analyzed by the Vendor will be predominately biological (fish) tissue samples (either whole or portions of) and some surficial aquatic sediment samples collected from rivers, stream and lakes from within Indiana. Some of these samples could be from locations suspected of containing hazardous organic and/or inorganic materials at high concentration levels. Respondents should be aware of the potential hazards associated with handling and analysis of these samples. It is the Vendor's responsibility to take all necessary measures to ensure the health and safety of its employees.

The contract with the current vendor expires on May 16, 2017, so the effective date of the contract resulting from this RFP will be May 17, 2017.

The Vendor will be responsible for the following services:

1. Providing proper sample containers, shipping containers, dry ice and other coolants/preservatives for the samples to IDEM sampling personnel.
2. Assumption of the costs associated with sample transportation and shipping.
3. Provision of overnight or one-day courier delivery to Vendor's facility to facilitate sample shipping.
4. Performing requested analyses for selected parameters on submitted samples in a timely manner using prescribed methods.
5. Preparing analytical reports for samples analyzed.
6. Providing the necessary QA/QC measures and documentation.
7. Providing raw data results and QC information in a prescribed electronic format

that will allow rapid and accurate uploading into the OWQ's Assessment Information Management System (AIMS).

8. Being available for explanation of reports and expert testimony in enforcement actions when requested.
9. Additional services as agreed to by the Vendor and the IDEM/OWQ program area.

The services noted above are described in Services 1 through 6 below. Detailed functional specifications are described in the attachments.

### **1. *Sample Containers and Preservatives***

All samples will be collected, preserved, and delivered to the Vendor in proper containers by IDEM personnel. Vendor must provide sample containers (appropriate sample jars for analysis tasks selected, heavy duty 18-inch and 24-inch wide rolls of aluminum foil, plastic bags, zip-lock bags, bubble wrap, etc.) at its expense for the collection of samples and their transportation from IDEM to the Vendor's laboratory facility. Shipping containers such as 48-60 quart coolers must also be provided for shipping the samples to the Vendor's laboratory facility.

All such shipping containers must meet United States Department of Transportation and any other appropriate regulations. These containers will be of such construction and volume to ensure the integrity of the sample to be analyzed. This implies that samples are not to come into contact with preservatives, their residues, or the shipping containers. It is the responsibility of the Vendor to perform analyses upon representative empty sample containers (i.e., aluminum foil, glass jars, and lids) from time to time to verify that they are free from contaminants. All sample containers are to be for one-time use only. Shipping containers may be re-used. All preservatives -- chemical, dry ice, ice packs, or other coolant -- must be supplied on an "as needed" basis (see below). Quantities of available preservatives must be sufficient for both collection and shipment of samples. It will be advantageous for the respondent to establish accounts with local vendors for the storage bags, aluminum foil and ice supplies so that these items can be signed for and picked up by designated IDEM/OWQ personnel on an as-needed basis for the purposes of this RFP.

### **2. *Sample Transportation***

Vendor will make necessary arrangements for priority overnight shipping and delivery of samples to the Vendor's laboratory facility. Costs associated with shipping of samples will be at the Vendor's expense. It will be advantageous for the Vendor to set up shipping arrangements so that shipping charges are billed directly to the Vendor.

### 3. *Analytes and Methods*

Analytical parameters required will be clearly identified by IDEM personnel when samples are submitted to the Vendor. Parameters will be identified by task numbers, and all parameters in those tasks will be considered the required analytical parameters for those samples (see **Attachment H6 – Task Lists**).

Analytical tasks will be clearly identified by IDEM/OWQ personnel when samples are submitted to the Vendor. The parameter list in **Attachment H6 – Task List** must be met for each method performed, unless directed otherwise by the IDEM/OWQ project contact. Tasks may be requested in any combination.

Generally, the procedures for the specified methods for analysis should be followed. Some of the methods requested in this RFP may not have been regularly updated to reflect current advances in analytical chemistry. In such cases, the Vendor is permitted to make modifications in accordance with **Attachment H4 – Methods and Analytical Parameters**.

As methods are updated either by the Federal Register, supplemental updates, technical notes, or memo from the United States Environmental Protection Agency (USEPA), the laboratory must update its methodology, Standard Operating Procedures (SOPs), and/or analyte list. The updates must be completed within the time specified in the update or sixty (60) days, whichever is greater.

### 4. *Analytical Reports*

All analyses conducted for IDEM/OWQ must result in a written analytical report and an electronic data deliverable (**Attachment I - EDI Format Description**), in accordance with the specifications outlined in the appendices attachments and forwarded to the responsible IDEM/OWQ contact for review. All IDEM sample identification numbers listed on one or more IDEM chain of custody form(s) shipped together will be considered as one group for the purpose of this contract. These groups of samples will be assigned to analysis sets agreed to by the Vendor and IDEM.

A report for a group is considered completed when all individual reports and electronic data deliverables in a set or group contain all data for the required analytical parameters, QA/QC information, and sample identification. Prior to payment, the analytical report must be accepted as completed by the responsible IDEM/OWQ contact. IDEM's review and acceptance of an analytical report and electronic data deliverables are an equal part of the sample analysis.

IDEM's review and acceptance of an analytical report is an equal part of the sample analysis. Fourteen (14) calendar days after the "Delivery Date" of an analytical report shall be counted as Vendor's time. These fourteen (14) days will be treated as if the

report were in the Vendor's possession, even though under review by IDEM. These fourteen (14) days will not be counted against reporting time requirements. If there is a sixty (60) day analysis/reporting cycle, the Vendor has the full sixty (60) days to analyze the sample and deliver the report. **(See Section D of Attachment H1 – "Technical Specifications", Invoicing IDEM/OWQ and Payment Reduction, for definition of "Delivery Date.")**

## **5. Quality Assurance/Quality Control and Documentation**

The Vendor must have and maintain a documented Quality Assurance/Quality Control (QA/QC) Program capable of demonstrating that data has a specified degree of reliability. An acceptable QA/QC Program would be one patterned after a publication such as the "Handbook for Analytical Quality Control in Water and Wastewater Laboratories", USEPA 600/4-79-019. The Vendor must be able to validate each method used and each analysis performed by that method using the QA/QC Program.

QA/QC measures must be documented. All documentation must be maintained and made available for the use of IDEM/OWQ for five (5) years after the expiration date of this Contract. QA/QC documentation must be submitted as required in **Attachment H3 – Quality Assurance/Quality Control Criteria**.

Comprehensive, on-site laboratory audits may be conducted at a minimum of once per year. The State may request a site visit to a Vendor's working support center once per year. The Vendor must pay for the cost of travel to and from the laboratory facility, for two (2) IDEM auditors per audit visit.

Proper sample chain-of-custody procedures must be maintained by the Vendor. Sample holding times end when the Laboratory Reagent Blank is analyzed. Sample analysis must begin within the holding time. Payment will not be authorized for samples analyzed outside of method holding times unless directed by IDEM/OWQ Quality Assurance Officer.

## **6. Availability of Services and Personnel**

Laboratory services will be available at all reasonable hours for the delivery of samples. When explanations of reports are necessary, the Vendor's personnel will provide them. The Vendor's personnel will be available during normal business hours. The Vendor's personnel will not be required to provide interpretation of results obtained by the analysis of samples. It is sometimes necessary to validate analyses by the use of the Vendor's personnel in enforcement action taken by IDEM. This use of the Vendor's personnel will be kept to a minimum but must be available. Charges for the use of the Vendor's personnel will be separate from all other charges.

- Vendor's services must be available at all reasonable hours for the delivery of

samples collected by IDEM/OWQ personnel. Arrangements for after-hours delivery will be made prior to sample collection. Respondents must list normal hours of delivery in their responses.

- Respondents must list any special conditions for samples and/or sample types delivered on a Friday; otherwise sample delivery and analysis will be treated as any normal weekday.
- When explanations of reports are necessary, the Vendor's personnel will provide them. This does not apply to the interpretation of results obtained by the analysis of samples.
- It is sometimes necessary to validate the sampling and analysis by the use of the Vendor's personnel in enforcement actions taken by IDEM/OWQ. This use of the Vendor's personnel will be kept to a minimum, but must be available. Appropriate charges for such use of the Vendor's personnel (hourly costs, per diem, lodging, etc.) must be provided in a Statement of Additional Charges, or such use will be presumed to be donated.

Respondents should realize that the chosen Vendor not only has considerable responsibility for providing reliable laboratory descriptions of the samples at issue, but also that its professional competence, the validity of the procedures used, and the resulting values reported may be challenged (perhaps in court). For the Vendor to meet such challenges, it should support the laboratory data with an adequate documentation program that provides valid records of the control measures applied to all factors bearing on the final results of investigations.

## 1.5 RFP OUTLINE

The outline of this RFP document is described below:

Section	Description
RFP Section 1 – General Information and Requested Products or Services	This section provides an overview of the RFP, general timelines for the process, and a summary of the products/services being solicited by the State/Agency via this RFP
RFP Section 2 – Proposal Preparation Instruction	This section provides instructions on the format and content of the RFP including a Letter of Transmittal, Business Proposal, Technical Proposal, and a Cost Proposal
RFP Section 3 – Proposal	This sections discusses the evaluation criteria to be used



Evaluation Criteria	to evaluate respondents' proposals
Attachment A	M/WBE Participation Plan Form
Attachment A1	IVBE Participation Plan Form
Attachment B	Sample Contract
Attachment C	Indiana Economic Impact Form
Attachment D	Cost Proposal Template
Attachment E	Business Proposal Template
Attachment F	Technical Proposal Template
Attachment G	Q&A Template
Attachment H1	Technical Specifications
Attachment H2	Technical Specifications: Definitions
Attachment H3	Technical Specifications: Quality Assurance/Quality Control Criteria
Attachment H4	Technical Specifications: Methods and Analytical Parameters
Attachment H5	Technical Specifications: Reporting
Attachment H6	Technical Specifications: Tasks List
Attachment H7	Technical Specifications: Test Method References
Attachment I	Electronic Data Reporting Standards
Attachment J	Current Laboratory Services Contract Charges
Attachment K	Summary of Attachments
Attachment L	RFP Checklist

## 1.6 QUESTION/INQUIRY PROCESS

All questions/inquiries regarding this RFP must be submitted in writing by the deadline of **3:00 p.m. Eastern Time on April 29, 2016**. Questions/Inquiries must be submitted in **Attachment G**, Q&A Template, via email to [gmoorman@idoa.IN.gov](mailto:gmoorman@idoa.IN.gov) and must be received by the time and date indicated above.

Following the question/inquiry due date, Procurement Division personnel will compile a list of the questions/inquiries submitted by all Respondents. The responses will be posted to the IDOA website according to the RFP timetable established in Section 1.24. The question/inquiry

and answer link will become active after responses to all questions have been compiled. Only answers posted on the IDOA website will be considered official and valid by the State. No Respondent shall rely upon, take any action, or make any decision based upon any verbal communication with any State employee.

Inquiries are not to be directed to any staff member of IDEM. Such action may disqualify Respondent from further consideration for a contract resulting from this RFP.

If it becomes necessary to revise any part of this RFP, or if additional information is necessary for a clearer interpretation of provisions of this RFP prior to the due date for proposals, an addendum will be posted on the IDOA website. If such addenda issuance is necessary, the Procurement Division may extend the due date and time of proposals to accommodate such additional information requirements, if required.

## 1.7 DUE DATE FOR PROPOSALS

All proposals must be received at the address below by the Procurement Division no later than **3:00 p.m. Eastern Time on May 23, 2016**. Each Respondent must submit **one original CD-ROM (marked "Original") and five (5)** complete copies, each on CD-ROM, of the proposal including the Transmittal Letter and other related documentation as required in this RFP. The **original** CD-ROM will be considered the official response in evaluating responses for scoring and protest resolution. **The respondent's proposal response on this CD may be posted on the IDOA website, (<http://www.in.gov/idoa/2462.htm>) if recommended for selection.** Each copy of the proposal must follow the format indicated in Section Two of this document. Unnecessarily elaborate brochures or other presentations, beyond those necessary to present a complete and effective proposal, are not desired. All proposals must be addressed to:

Indiana Department of Administration  
Procurement Division  
402 West Washington Street, Room W468  
Indianapolis, IN 46204

### **If you hand-deliver solicitation responses:**

To facilitate weapons restrictions at Indiana Government Center North and Indiana Government Center South, as of **July 21, 2008**, the public must enter IGC buildings through a designated public entrance. The public entrance to Indiana Government Center South is located at 302 W. Washington St. (the eastern-most Washington St. entrance). This entrance will be equipped with metal detectors and screening devices monitored by Indiana State Police Capitol Police.

Passing through the public entrance may take some time. Please be sure to take this information into consideration if your company plans to submit a solicitation response in person.

**If you ship or mail solicitation responses:** United States Postal Express and Certified Mail are both delivered to the Government Center Central Mailroom, and not directly to the

Procurement Division. It is the responsibility of the Respondent to make sure that solicitation responses are received by the Procurement Division at the Department of Administration's reception desk on or before the designated time and date. Late submissions will not be accepted. The Department of Administration, Procurement Division clock is the official time for all solicitation submissions.

Regardless of delivery method, all proposal packages must be **sealed** and clearly marked with the RFP number, due date, and time due. IDOA will not accept any unsealed bids. Any proposal received by the Department of Administration, Procurement Division after the due date and time will not be considered. Any late proposals will be returned, unopened, to the Respondent upon request. All rejected proposals not claimed within 30 days of the proposal due date will be destroyed.

No more than one proposal per Respondent may be submitted.

The State accepts no obligations for costs incurred by Respondents in anticipation of being awarded a contract.

#### 1.8 PRE-PROPOSAL CONFERENCE

A pre-proposal conference will be held on **Tuesday, April 26, 2016 at 9:30AM** in Indiana Government Center South Conference Center **Room 17**. At this conference, potential respondents may ask questions about the RFP and the RFP process. Respondents are reminded that no answers issued verbally at the conference are binding on the State and any information provided at the conference, unless it is later issued in writing, also is not binding on the State.

#### 1.9 MODIFICATION OR WITHDRAWAL OF OFFERS

Modifications to responses to this RFP may only be made in the manner and format consistent with the submittal of the original response, acceptable to IDOA and clearly identified as a modification.

The Respondent's authorized representative may withdraw the proposal, in person, prior to the due date. Proper documentation and identification will be required before the Procurement Division will release the withdrawn proposal. The authorized representative will be required to sign a receipt for the withdrawn proposal.

Modification to, or withdrawal of, a proposal received by the Procurement Division after the exact hour and date specified for receipt of proposals will not be considered.

## 1.10 PRICING

Pricing on this RFP must be firm and remain open for a period of not less than 180 days from the proposal due date. Any attempt to manipulate the format of the document, attach caveats to pricing, or submit pricing that deviates from the current format will put your proposal at risk.

Please refer to the Cost Proposal sub-section under Section 2 for a detailed discussion of the proposal pricing format and requirements.

## 1.11 PROPOSAL CLARIFICATIONS AND DISCUSSIONS, AND CONTRACT DISCUSSIONS

The State reserves the right to request clarifications on proposals submitted to the State. The State also reserves the right to conduct proposal discussions, either oral or written, with Respondents. These discussions could include request for additional information, request for cost or technical proposal revision, etc. Additionally, in conducting discussions, the State may use information derived from proposals submitted by competing respondents only if the identity of the respondent providing the information is not disclosed to others. The State will provide equivalent information to all respondents which have been chosen for discussions. Discussions, along with negotiations with responsible respondents may be conducted for any appropriate purpose.

The Procurement Division will schedule all discussions. Any information gathered through oral discussions must be confirmed in writing.

A sample contract is provided in Attachment B. Any requested changes to the sample contract must be submitted with your response (See Section 2.3.5 for details). The State reserves the right to reject any of these requested changes. It is the State's expectation that any material elements of the contract will be substantially finalized prior to contract award.

## 1.12 BEST AND FINAL OFFER

The State may request best and final offers from those Respondents determined by the State to be reasonably viable for contract award. However, the State reserves the right to award a contract on the basis of initial proposals received. Therefore, each proposal should contain the Respondent's best terms from a price and technical standpoint.

Following evaluation of the best and final offers, the State may select for final contract negotiations/execution the offers that are most advantageous to the State, considering cost and the evaluation criteria in this RFP.

### 1.13 REFERENCE SITE VISITS

The State may request a site visit to a Respondent's working support center to aid in the evaluation of the Respondent's proposal. Site visits, if required will be discussed in the technical proposal.

### 1.14 TYPE AND TERM OF CONTRACT

The State intends to sign a contract with one or more Respondent(s) to fulfill the requirements in this RFP.

The term of the contract shall be for a period of two (2) years from the date of contract execution. There may be one (1) two (2) year renewal for a total of four (4) years at the State's option.

### 1.15 CONFIDENTIAL INFORMATION

Respondents are advised that materials contained in proposals are subject to the Access to Public Records Act (APRA), IC 5-14-3 *et seq.*, and, after the contract award, the entire RFP file may be viewed and copied by any member of the public, including news agencies and competitors. **Respondents claiming a statutory exception to the APRA must indicate so in the Transmittal Letter. Confidential Information must also be clearly marked in a separate folder on any included CD-ROM. The Respondent must also specify which statutory exception of APRA that applies.** The State reserves the right to make determinations of confidentiality. If the Respondent does not identify the statutory exception, the Procurement Division will not consider the submission confidential. If the State does not agree that the information designated is confidential under one of the disclosure exceptions to APRA, it may seek the opinion of the Public Access Counselor. **Prices are not confidential information.**

### 1.16 TAXES

Proposals should not include any tax from which the State is exempt.

### 1.17 PROCUREMENT DIVISION REGISTRATION

In order to receive an award, you must be registered as a bidder with the Department of Administration, Procurement Division. Therefore, to ensure there is no delay in the award all Respondents are strongly encouraged to register prior to submission of their response. Respondents should go to [www.in.gov/idoa/2464.htm](http://www.in.gov/idoa/2464.htm).

### 1.18 SECRETARY OF STATE REGISTRATION

If awarded the contract, the Respondent will be required to register, and be in good standing, with the Secretary of State. The registration requirement is applicable to all limited liability

partnerships, limited partnerships, corporations, S-corporations, nonprofit corporations and limited liability companies. Information concerning registration with the Secretary of State may be obtained by contacting:

Secretary of State of Indiana  
Corporation Division  
402 West Washington Street, E018  
Indianapolis, IN 46204  
(317) 232-6576  
[www.in.gov/sos](http://www.in.gov/sos)

#### 1.19 COMPLIANCE CERTIFICATION

Responses to this RFP serve as a representation that it has no current or outstanding criminal, civil, or enforcement actions initiated by the State, and it agrees that it will immediately notify the State of any such actions. The Respondent also certifies that neither it nor its principals are presently in arrears in payment of its taxes, permit fees or other statutory, regulatory or judicially required payments to the State. The Respondent agrees that the State may confirm, at any time, that no such liabilities exist, and, if such liabilities are discovered, that State may bar the Respondent from contracting with the State, cancel existing contracts, withhold payments to setoff such obligations, and withhold further payments or purchases until the entity is current in its payments on its liability to the State and has submitted proof of such payment to the State.

#### 1.20 EQUAL OPPORTUNITY COMMITMENT

Pursuant to IC 4-13-16.5 and in accordance with 25 IAC 5, it has been determined that there is a reasonable expectation of minority and woman business enterprises subcontracting opportunities on a contract awarded under this RFP. Therefore a contract goal of 8 % for Minority Business Enterprises and 8 % for Woman Business Enterprises have been established and all respondents will be expected to comply with the regulation set forth in 25 IAC 5.

Failure to address these requirements may impact the evaluation of your proposal.

#### 1.21 MINORITY & WOMEN'S BUSINESS ENTERPRISES RFP SUBCONTRACTOR COMMITMENT

In accordance with 25 IAC 5-5, the respondent is expected to submit with its proposal a MWBE Subcontractor Commitment Form. The Form must show that there are, participating in the proposed contract, Minority Business Enterprises (MBE) and Women Business Enterprises (WBE) listed in the Minority and Women's Business Enterprises Division (MWBED) directory of certified firms located at <http://www.in.gov/idoa/2352.htm>.

If participation is met through use of vendors who supply products and/or services directly to the Respondent, the Respondent must provide a description of products and/or services

provided that are directly related to this proposal and the cost of direct supplies for this proposal. Respondents must complete the Subcontractor Commitment Form in its entirety. The amount entered in “**TOTAL BID AMOUNT**” should match the amount entered in the Attachment D, Cost Proposal Template.

Failure to meet these goals will affect the evaluation of your Proposal. The Department reserves the right to verify all information included on the MWBE Subcontractor Commitment Form.

Respondents are encouraged to contact and work with MWBED at 317-232-3061 to design a subcontractor commitment to meet established goals as referenced in this solicitation.

**Prime Contractors must ensure that the proposed subcontractors meet the following criteria:**

- Must be listed on the IDOA Directory of Certified Firms, on or before the proposal due date
- Each firm may only serve as one classification – MBE, WBE, or IVBE (see section 1.21)
- A Prime Contractor who is an MBE or WBE must meet subcontractor goals by using other listed certified firms. Certified Prime Contractors cannot count their own workforce or companies to meet this requirement.
- **Must serve a Commercially Useful Function (CUF). The firm must serve a value-added purpose on the engagement, as confirmed by the State.**
- Must provide goods or service only in the industry area for which it is certified as listed in the directory at <http://www.in.gov/idoa/2352.htm>
- Must be used to provide the goods or services specific to the contract
- National Diversity Plans are generally not acceptable

#### **MINORITY & WOMEN’S BUSINESS ENTERPRISES RFP SUBCONTRACTOR LETTER OF COMMITMENT**

A signed letter(s), on company letterhead, from the MBE and/or WBE must accompany the MWBE Subcontractor Commitment Form. Each letter shall state and will serve as acknowledgement from the MBE and/or WBE of its subcontract dollar amount, its subcontract percentage of the Total Bid Amount, a description of products and/or services to be provided on this project, and approximate date the subcontractor will perform work on this contract. The State reserves the right to deny evaluation points if the letter(s) is not attached. The State may deny evaluation points if the letter(s) is not attached, not on company letterhead, not signed and/or does not reference and match the subcontract amount and the anticipated period that the Subcontractor will perform work for this solicitation.

By submission of the Proposal, the Respondent acknowledges and agrees to be bound by the regulatory processes involving the State’s M/WBE Program. Questions involving the regulations

governing the MWBE Subcontractor Commitment Form should be directed to: Minority and Women's Business Enterprises Division at (317) 232-3061 or <http://www.in.gov/idoa/2352.htm>.

## 1.22 INDIANA VETERANS BUSINESS ENTERPRISE SUBCONTRACTOR COMMITMENT

In accordance with Executive Order 13-04 and IC 5-22-14-3.5, it has been determined that there is a reasonable expectation of Indiana Veterans Business Enterprises subcontracting opportunities on a contract awarded under this RFP. Therefore, a contract goal of 3 % for Indiana Veterans Business Enterprises has been established. The IVBE Subcontractor Commitment Form is to be submitted alongside the respondent's proposal. The Form must show that they are participating in the proposed contract and IVBE firms that meet the requirements listed at the Veteran's Business Program website (<http://www.in.gov/idoa/2862.htm>).

If participation is met through use of vendors who supply products and/or services directly to the Respondent, the Respondent must provide a description of products and/or services provided that are directly related to this proposal and the cost of direct supplies for this proposal. Respondents must complete the Subcontractor Commitment Form in its entirety. The amount entered in "**TOTAL BID AMOUNT**" should match the amount entered in the Attachment D, Cost Proposal Template.

Failure to address these goals may impact the evaluation of your Proposal. The Department reserves the right to verify all information included on the IVBE Subcontractor Commitment Form.

**Prime Contractors must ensure that the proposed IVBE subcontractors meet the following criteria:**

- Must be listed on Federal Center for Veterans Business Enterprise VetBiz registry, on or before the proposal due date
- Must qualify as a Buy Indiana Business under designation 1, on or before the proposal due date. See section 2.7 for more information
- Each firm may only serve as one classification – MBE, WBE (see Section 1.21) or IVBE
- A Prime Contractor who is an IVBE must meet subcontractor goals by using other listed certified firms. Certified Prime Contractors cannot count their own workforce or companies to meet this requirement.
- **Must serve a Commercially Useful Function (CUF). The firm must serve a value-added purpose on the engagement, as confirmed by the State.**
- Must provide goods or service only in the industry area for which it is certified as listed in the VetBiz directory <http://www.in.gov/idoa/2352.htm>
- Must be used to provide the goods or services specific to the contract



## INDIANA VETERAN'S BUSINESS ENTERPRISES RFP SUBCONTRACTOR LETTER OF COMMITMENT

A signed letter(s), on company letterhead, from the IVBE must accompany the IVBE Subcontractor Commitment Form. Each letter shall state and will serve as acknowledgement from the IVBE of its subcontract dollar amount, its subcontract percentage of the Total Bid Amount, a description of products and/or services to be provided on this project, and approximate date the subcontractor will perform work on this contract. The State reserves the right to deny evaluation points if the letter(s) is not attached. The State may deny evaluation points if the letter(s) is not attached, not on company letterhead, not signed and/or does not reference and match the subcontract amount, subcontract amount as a percentage of the **"TOTAL BID AMOUNT"** and the anticipated period that the Subcontractor will perform work for this solicitation.

By submission of the Proposal, the Respondent acknowledges and agrees to be bound by the policies and processes involving the State's IVBE Program. Questions involving the regulations governing the IVBE Subcontractor Commitment Form should be directed to:

[indianaveteranspreference@idoa.in.gov](mailto:indianaveteranspreference@idoa.in.gov).

### 1.23 AMERICANS WITH DISABILITIES ACT

The Respondent specifically agrees to comply with the provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 *et seq.* and 47 U.S.C. 225).

### 1.24 SUMMARY OF MILESTONES

The following timeline is only an illustration of the RFP process. The dates associated with each step are not to be considered binding. Due to the unpredictable nature of the evaluation period, these dates are commonly subject to change. At the conclusion of the evaluation process, all Respondents will be informed of the evaluation team's findings.

#### ***Key RFP Dates***

<b>Activity</b>	<b>Date</b>
Issue of RFP	April 13, 2016
Pre-Proposal Conference	April 26, 2016
Deadline to Submit Written Questions	April 29, 2016
Response to Written Questions/RFP Amendments	May 6, 2016
Submission of Proposals	May 23, 2016

#### 1.25 CONFLICT OF INTEREST

Any person, firm or entity that assisted with and/or participated in the preparation of this RFP document is prohibited from submitting a proposal to this specific RFP. For the purposes of this RFP “person” means a state officer, employee, special state appointee, or any individual or entity working with or advising the State or involved in the preparation of this RFP proposal. This prohibition would also apply to an entity who hires, within a one-year period prior to the publication of this RFP, a person that assisted with and/or participated in the preparation of this RFP.

## **SECTION TWO PROPOSAL PREPARATION INSTRUCTIONS**

### **2.1 GENERAL**

To facilitate the timely evaluation of proposals, a standard format for proposal submission has been developed and is described in this section. All Respondents are required to format their proposals in a manner consistent with the guidelines described below:

- Each item must be addressed in the Respondent's proposal.
- The Transmittal Letter must be in the form of a letter. The business and technical proposals must be organized under the specific section titles as listed below.
- The electronic copies of the proposal submitted via CD-ROM should be organized to mirror the sections below and the attachments.
- Each item, i.e. Transmittal Letter, Business Proposal, Technical Proposal, Cost Proposal, etc, must be separate stand alone electronic files on the CD-ROM. Please do not submit your proposal as one large file.
- Whenever possible, please submit all attachments in their original format.
- Confidential Information must also be clearly marked in a separate folder/file on any included CD-ROM.

### **2.2 TRANSMITTAL LETTER**

The Transmittal Letter must address the following topics except those specifically identified as "optional."

#### **2.2.1 Agreement with Requirement in listed in Section 1**

The Respondent must explicitly acknowledge understanding of the general information presented in Section 1 and agreement with any requirements/conditions listed in Section 1 and Attachment H1-H7 and Attachment I.

#### **2.2.2 Summary of Ability and Desire to Supply the Required Products or Services**

The Transmittal Letter must briefly summarize the Respondent's ability to supply the requested products and/or services that meet the requirements defined in Section 2.4 of this RFP. The letter must also contain a statement indicating the Respondent's willingness to provide the requested products and/or services subject to the terms and conditions set forth in the RFP including, but not limited to, the State's mandatory contract clauses.

### 2.2.3 Signature of Authorized Representative

A person authorized to commit the Respondent to its representations and who can certify that the information offered in the proposal meets all general conditions including the information requested in Section 2.3.4, must sign the Transmittal Letter. **In the Transmittal Letter, please indicate the principal contact for the proposal along with an address, telephone and fax number as well as an e-mail address, if that contact is different than the individual authorized for signature.**

### 2.2.4 Respondent Notification

Unless otherwise indicated in the Transmittal Letter, Respondents will be notified via e-mail.

It is the Respondent's obligation to notify the Procurement Division of any changes in any address that may have occurred since the origination of this solicitation. The Procurement Division will not be held responsible for incorrect vendor/contractor addresses.

### 2.2.5 Confidential Information

Respondents are advised that materials contained in proposals are subject to the Access to Public Records Act (APRA), IC 5-14-3 *et seq.* (see section 1.16).

Provide the following information:

- List all documents where claiming a statutory exemption to the APRA;
- Specify which statutory exception of APRA that applies for each document;
- Provide a description explaining the manner in which the statutory exception to the APRA applies for each document.

### 2.2.6 Other Information

This item is optional. Any other information the Respondent may wish to briefly summarize will be acceptable.

## 2.3 BUSINESS PROPOSAL

The Business Proposal must address the following topics except those specifically identified as "optional." **The Business Proposal Template is Attachment E.**

### 2.3.1 General (optional)

This section of the business proposal may be used to introduce or summarize any information the Respondent deems relevant or important to the State's successful acquisition of the products and/or services requested in this RFP.

### 2.3.2 Respondent's Company Structure

The legal form of the Respondent's business organization, the state in which formed (accompanied by a certificate of authority), the types of business ventures in which the organization is involved, and a chart of the organization are to be included in this section. If the organization includes more than one product division, the division responsible for the development and marketing of the requested products and/or services in the United States must be described in more detail than other components of the organization.

### 2.3.3 Company Financial Information

This section must include the Respondent's financial statement, including an income statement and balance sheet, for each of the two most recently completed fiscal years. The financial statements must demonstrate the Respondent's financial stability. If the financial statements being provided by the Respondent are those of a parent or holding company, additional financial information should be provided for the entity/organization directly responding to this RFP.

### 2.3.4 Integrity of Company Structure and Financial Reporting

This section must include a statement indicating that the CEO and/or CFO has taken personal responsibility for the thoroughness and correctness of any/all financial information supplied with this proposal. The particular areas of interest to the State in considering corporate responsibility include the following items: separation of audit functions from corporate boards and board members, if any, the manner in which the organization assures board integrity, and the separation of audit functions and consulting services. The State will consider the information offered in this section to determine the responsibility of the Respondent under IC 5-22-16-1(d).

The Sarbanes Oxley Act of 2002, H.R. 3763, is NOT directly applicable to this procurement; however, its goals and objectives may be used as a guide in the determination of corporate responsibility for financial reports.

### 2.3.5 Contract Terms/Clauses

A sample contract that the state expects to execute with the successful Respondent(s) is provided in Attachment B. This contract contains both mandatory and non-mandatory clauses. Mandatory clauses are listed below and are non-negotiable. Other clauses are highly desirable. It is the State's expectation that the final contract will be substantially similar to the sample contract provided in Attachment B.

In your Transmittal Letter please indicate acceptance of these mandatory contract terms (see section 2.2.2). In this section please review the rest of the contract and indicate your acceptance of the non-mandatory contract clauses. If a non-mandatory clause is not acceptable as worded, suggest specific alternative wording to address issues raised by the specific clause. If you require additional contract terms please include them in this section. To reiterate it's the State's strong desire to not deviate from the contract provided in the attachment and as such the State reserves the right to reject any and all of these requested changes.

The mandatory contract terms are as follows:

- Duties of Contractor, Rate of Pay, and Term of Contract
- Authority to Bind Contractor
- Compliance with Laws
- Drug-Free Workplace Provision and Certification
- Employment Eligibility
- Funding Cancellation
- Governing Laws
- Indemnification
- Information Technology
- Non-Discrimination Clause
- Ownership of Documents and Materials
- Payments
- Penalties/Interest/Attorney's Fees
- Termination for Convenience
- Non-Collusion and Acceptance

Any or all portions of this RFP and any or all portions of the Respondents response may be incorporated as part of the final contract

### 2.3.6 References

The Respondent must include a list of at least three (3) clients for whom the Respondent has provided products and/or services that are the same or similar to those products and/or services requested in this RFP. Information provided should include the name, address, and telephone number of the client facility and the name, title, and phone/fax numbers of a person who may be contacted for further information.

### 2.3.7 Registration to do Business

#### Secretary of State

If awarded the contract, the Respondent will be required to be registered, and be in good standing, with the Secretary of State. The registration requirement is applicable to all limited liability partnerships, limited partnerships, corporations, S-corporations, nonprofit corporations and limited liability companies. The Respondent must indicate the status of registration, if applicable, in this section of the proposal.

#### Department of Administration, Procurement Division

Additionally, respondents must be registered with the IDOA. This can be accomplished on-line at <http://www.in.gov/idoa/2464.htm>.

The IDOA Procurement Division maintains two databases of vendor information. The Bidder registration database is set up for vendors to register if you are interested in selling a product or service to the State of Indiana. Respondents may register on-line at no cost to become a Bidder with the State of Indiana. To complete the on-line Bidder registration, go to <http://www.in.gov/idoa/2464.htm>. The Bidder registration offers email notification of upcoming solicitation opportunities, corresponding to the Bidder's area(s) of interest, selected during the registration process. Respondents do need to be registered to bid on and receive email notifications. Completion of the Bidder registration will result in your name being added to the Bidder's Database, for email notification. The Bidder registration requires some general business information, an indication of the types of goods and services you can offer the State of Indiana, and locations(s) within the state that you can supply or service. There is no fee to be placed in Procurement Division's Bidder Database. To receive an award, you must be registered as a bidder. Problems or questions concerning the registration process or the registration form can be e-mailed to Amey Redding, Vendor Registration Coordinator, [aredding@idoa.in.gov](mailto:aredding@idoa.in.gov), or you may reach her by phone at (317) 234-3542.

### 2.3.8 Authorizing Document

Respondent personnel signing the Transmittal Letter of the proposal must be legally authorized by the organization to commit the organization contractually. This section shall contain proof of such authority. A copy of corporate bylaws or a corporate resolution adopted by the board of directors indicating this authority will fulfill this requirement.

### 2.3.9 Subcontractors

The Respondent is responsible for the performance of any obligations that may result from this RFP, and shall not be relieved by the non-performance of any subcontractor. Any Respondent's proposal must identify all subcontractors and describe the contractual relationship between the Respondent and each subcontractor. Either a copy of the executed subcontract or a letter of agreement over the official signature of the firms involved must accompany each proposal.

Any subcontracts entered into by the Respondent must be in compliance with all State statutes, and will be subject to the provisions thereof. For each portion of the proposed products or services to be provided by a subcontractor, the technical proposal must include the identification of the functions to be provided by the subcontractor and the subcontractor's related qualifications and experience.

The combined qualifications and experience of the Respondent and any or all subcontractors will be considered in the State's evaluation. The Respondent must furnish information to the State as to the amount of the subcontract, the qualifications of the subcontractor for guaranteeing performance, and any other data that may be required by the State. All subcontracts held by the Respondent must be made available upon request for inspection and examination by appropriate State officials, and such relationships must meet with the approval of the State.

The Respondent must list any subcontractor's name, address and the state in which formed that are proposed to be used in providing the required products or services. The subcontractor's responsibilities under the proposal, anticipated dollar amount for subcontract, the subcontractor's form of organization, and an indication from the subcontractor of a willingness to carry out these responsibilities are to be included for each subcontractor. This assurance in no way relieves the Respondent of any responsibilities in responding to this RFP or in completing the commitments documented in the proposal. The Respondent must indicate which, if any, subcontractors qualify as a Minority or Women



Owned Business under IC 4-13-16.5-1. See Section 1.21 and Attachment A for Minority and Women Business information.

#### 2.3.10 General Information

Each Respondent must enter your company's general information including contact information.

#### 2.3.11 Experience Serving State Governments

Each Respondent is asked to please provide a brief description of your company's experience in serving state governments and/or quasi-governmental accounts.

#### 2.3.12 Experience Serving Similar Clients

Each Respondent is asked to please describe your company's experience in serving clients of a similar size to the State that also had a similar scope. Please provide specific clients and detailed examples.

#### 2.3.13 Indiana Preferences

Pursuant to IC 5-22-15-7, Respondent may claim only one (1) preference. For the purposes of this RFP, this limitation to claiming one (1) preference applies to Respondent's ability to claim eligibility for Buy Indiana points. **Respondent must clearly indicate which preference(s) they intend to claim. Additionally, the Respondent's Buy Indiana status must be finalized when the RFP response is submitted to the State.**

##### Buy Indiana

Refer to Section 2.7 for additional information.

## 2.4 TECHNICAL PROPOSAL

### **The Technical Proposal Template is Attachment F.**

In completing the Technical Proposal, the Respondent must complete **Attachment F**, the Technical Proposal template and must address the requirements found in **RFP Section 1, Scope of Work**, and in **Attachments H1-H7**. RFP language should not be repeated within the response. Where appropriate, supporting documentation may be referenced by a page and paragraph number. However, when this is done, the body of the technical proposal must contain a meaningful summary of the referenced material. The referenced document must be included as an appendix to the technical proposal with referenced sections clearly marked. If

there are multiple references or multiple documents, these must be listed and organized for ease of use by the State in the Summary of Attachments, **Attachment K**.

1. Please state your ability and desire to perform the work as described in this RFP.
2. Detail any subcontractors proposed and describe their responsibilities and qualifications.
3. List the key personnel that will be doing the work and describe their experience and qualifications performing the proposed test methods. How will the Vendor ensure that all personnel working on this contract will meet the minimum requirements for the respective procedure as listed in the Technical Requirements?
4. Please provide the Vendor's Quality Assurance/Quality Control (QA/QC) Program capable of demonstrating that data has a specified degree of reliability. Vendors must be able to validate each method used and each analysis performed by that method using the QA/QC Program. Vendor's agent(s) at each location must submit separate QA/QC documentation.
5. What is the Vendor's plan and capability of supplying IDEM/OWQ with a analytical report, in both written and electronic formats and in accordance with the specifications outlined in the Attachment H5, for each analysis conducted? When explanations of reports are necessary, they will be provided by the Vendor's personnel.
6. Provide a facilities diagram, description, and instrumentation information that is up-to-date, and suitable for the test methods proposed. Include a detailed, descriptive list of the major instrumentation that will be used to perform Contract work.
7. What is the Vendor's plan to participate in a PT sample program (formerly known as a Performance Evaluation (PE) sample program) that incorporates all contract analytes available from commercial PT sample providers? Each location must submit separate PT sample studies. In the event a contract is awarded, results of all PT studies participated in during the contract period must be reported to IDEM/OWQ.
8. Vendors must submit the previous two (2) years' PT results for the PT sample program, and for PT programs equivalent to EPA's former Water Pollution (WP), and Water Supply (WS) round robin. If the Vendor is participating in the USEPA's Quarterly Blind Sample Evaluations, these results must be submitted. Include any standard reference material evaluation results for the appropriate biological or sediment matrix.
9. Please supply MDL studies for each analyte in a Task Group. The MDL studies must have been performed within the previous year and in accordance with Attachment H4 – *Methods and Analytical Parameters*, Part B.

10. Please detail the Vendor's laboratory capacity. Samples for this laboratory service are submitted to the Vendor on a seasonal basis, primarily in the autumn and early winter months. Vendors must be able to meet a minimum quantity requirement of 200-250 samples per year during those months of the year with an expected standard turnaround timeframe of 60 days for an analysis set.
11. Please provide the Vendor's normal hours of delivery. How will the Vendor ensure services will be available at all reasonable hours? How will arrangements for after-hour deliveries be managed? What arrangements will the Vendor make for shipping and receiving samples when delivery by IDEM is not possible? Vendors should list any special conditions for samples and/or sample types delivered on a Friday or after normal business hours; otherwise sample delivery and analysis will be treated as any normal weekday.
12. Please explain how the Vendor will maintain all documentation and data for the use of IDEM/OWQ for five (5) years after the expiration date of this Contract.
13. Please explain the Vendor's capabilities and/or arrangements to provide sample containers including appropriate sediment sample jars for analysis tasks selected, heavy duty 18-inch and 24-inch wide rolls of aluminum foil for wrapping prepared tissue samples, plastic bags, zip-lock bags of quart gallon and 2-gallon sizes, bubble wrap to protect sediment jars during transport, shipping containers, 48-60 quart coolers, dry ice and other coolants to preserve samples at appropriate storage temperatures after collection and during shipments, overnight shipping arrangements, etc., at its expense, for the collection, preparation and proper storage of samples, and their transportation from IDEM to the Vendor's laboratory facility.

## 2.5 COST PROPOSAL

The Respondent must provide its pricing information for the laboratory services requested by completing the **Cost Proposal Template (Attachment D)**. Within the Cost Proposal Template, the Respondent will be asked to provide its laboratory charges for 60-day and 30-day reporting time for 21 distinct tasks and for 2 combinations of tasks (lines 15 and 16 in the cost proposal template). **Vendors must bid on all tasks listed in Attachment D in order for their proposal to be deemed responsive.** The charges provided must be all-inclusive. If the Respondent is chosen as the Vendor, no additional costs may be billed to the State. The only exception to this is the charge for Vendor's personnel in enforcement actions (see RFP section 1.6), which must be listed in a Statement of Additional Charges.

After completing the Cost Proposal Template, the Respondent will have calculated a "Total Bid Amount" (cell E55). **Please use this Total Bid Amount when entering the Total Bid Amount on the Minority and Women's Business Enterprises Participation Plan Form (Attachment A), Indiana Veteran Business Enterprise Participation Plan Form (Attachment A1) and Indiana Economic Impact Form (Attachment C).**

The Cost Proposal must be submitted in the original format. Any attempt to manipulate the format of the Cost Proposal document, attach caveats to pricing, or submit pricing that deviates from the current format will put your proposal at risk. Please submit the cost proposal as an Excel document. ***Please do not submit as a .PDF.***

### **Cost Assumptions, Conditions, and Constraints**

The Respondent should list and describe as part of its Cost Proposal any special cost assumptions, conditions, and/or constraints relative to, or which impact, the prices presented on the Cost Schedules. It is of particular importance to describe any assumptions made by the Respondent in the development of the Respondent's Technical Proposal that have a material impact on price. It is in the best interest of the Respondent to make explicit the assumptions, conditions, and/or constraints that underlie the values presented on the Cost Schedules. Assumptions, conditions or constraints that conflict with the RFP requirements are not acceptable.

## **2.6 INDIANA ECONOMIC IMPACT**

All companies desiring to do business with state agencies must complete an "Indiana Economic Impact" form (Attachment C). The collection and recognition of the information collected with the Indiana Economic Impact form places a strong emphasis on the economic impact a project will have on Indiana and its residents regardless of where a business is located. The collection of this information does not restrict any company or firm from doing business with the state. The amount entered in Line 16 "Total amount of this proposal, bid, or current contract" should match the amount entered in the Attachment D, Cost Proposal Template.

## **2.7 BUY INDIANA INITIATIVE/INDIANA COMPANY**

It is the Respondent's responsibility to confirm its Buy Indiana status for this portion of the process. If a Respondent has previously registered its business with IDOA, go to <http://www.in.gov/idoa/2464.htm> and click on the link to update this registration. Click the tab titled Buy Indiana. Select the appropriate category for your business. Respondents may only select one category. Certify this selection by clicking the check box next to the certification paragraph. Once this is complete, save your selection and exit your account.

Respondents that have not previously registered with IDOA must go to <http://www.in.gov/idoa/2464.htm> and click on the link to register. During the registration process, follow the steps outlined in the paragraph above to certify your business' status. The registration process should be complete at the time of proposal submission.

**Respondent must clearly indicate which preference(s) they intend to claim in the Business Proposal, Attachment E. Additionally, the Respondent's Buy Indiana status must be finalized when the RFP response is submitted to the State.**

**Defining an Indiana Business:**

“Indiana business” refers to any of the following:

- (1) A business whose principal place of business is located in Indiana.
- (2) A business that pays a majority of its payroll (in dollar volume) to residents of Indiana.
- (3) A business that employs Indiana residents as a majority of its employees.

Respondents claiming this status must indicate which of the provisions above qualifies them as an Indiana business. They must also fully complete the Indiana Economic Impact Form (Attachment C) and include it with their response.

The following is the policy concerning items 4 & 5 described below. Appropriate documentation must be provided with your proposal response supporting either claim made below:

- (4) A business that makes significant capital investments in Indiana.
- (5) A business that has a substantial positive economic impact on Indiana.

**Substantial Capital Investment:**

Any company that can demonstrate a minimum capital investment of \$5 million or more in plant and/or equipment or annual lease payments of \$2.5 million or more shall qualify as an Indiana business under category #4. If an out of state company does not meet one of these criteria, it can submit documentation/justification to the State for review for inclusion under this category.

**Substantial Indiana Economic Impact:**

Any company that is in the top 500 companies (adjusted) for one of the following categories: number of employees (DWD), unemployment taxes (DWD), payroll withholding taxes (DOR), or Corporate Income Taxes (DOR); it shall qualify as an Indiana business under category #5. If a Respondent needs assistance in determining if its business qualifies under this criterion, please send an email inquiry to [buyindianainvest@idoa.in.gov](mailto:buyindianainvest@idoa.in.gov) and you will receive a response within forty-eight (48) hours. If an out of state company does not meet one of these criteria, it can submit documentation/justification to the State for review for inclusion under this category.

### **SECTION THREE**

#### ***PROPOSAL EVALUATION***

##### **3.1 PROPOSAL EVALUATION PROCEDURE**

The State has selected a group of personnel to act as a proposal evaluation team. Subgroups of this team, consisting of one or more team members, will be responsible for evaluating proposals with regard to compliance with RFP requirements. All evaluation personnel will use the evaluation criteria stated in Section 3.2. The Commissioner of IDOA or their designee will, in the exercise of their sole discretion, determine which proposals offer the best means of servicing the interests of the State. The exercise of this discretion will be final.

The procedure for evaluating the proposals against the evaluation criteria will be as follows:

- 3.1.1 Each proposal will be evaluated for adherence to requirements on a pass/fail basis. Proposals that are incomplete or otherwise do not conform to proposal submission requirements may be eliminated from consideration.
- 3.1.2 Each proposal will be evaluated on the basis of the categories included in Section 3.2. A point score has been established for each category.
- 3.1.3 If technical proposals are close to equal, greater weight may be given to price.
- 3.1.4 Based on the results of this evaluation, the qualifying proposal determined to be the most advantageous to the State, taking into account all of the evaluation factors, may be selected by IDOA and IDEM/OWQ for further action, such as contract negotiations. If, however, IDOA and IDEM/OWQ decide that no proposal is sufficiently advantageous to the State, the State may take whatever further action is deemed necessary to fulfill its needs. If, for any reason, a proposal is selected and it is not possible to consummate a contract with the Respondent, IDOA may begin contract preparation with the next qualified Respondent or determine that no such alternate proposal exists.

##### **3.2 EVALUATION CRITERIA**

Proposals will be evaluated based upon the proven ability of the Respondent to satisfy the requirements of the RFP in a cost-effective manner. Each of the evaluation criteria categories is described below with a brief explanation of the basis for evaluation in that category. The points associated with each category are indicated following the category name (total maximum points = 108). Negative points may be assigned in the cost score. Additionally, there is an opportunity for a bonus of five points if certain criteria are met. For further information, please reference Section 3.2.3 below. If any one or more of the listed criteria on which the responses to this RFP will be evaluated are found to be inconsistent or incompatible with applicable

federal laws, regulations or policies, the specific criterion or criteria will be disregarded and the responses will be evaluated and scored without taking into account such criterion or criteria.

***Summary of Evaluation Criteria:***

<b>Criteria</b>	<b>Points</b>
1. Adherence to Mandatory Requirements	Pass/Fail
2. Management Assessment/Quality (Business and Technical Proposal)	40 available points
3. Cost (Cost Proposal)	35 available points
4. Indiana Economic Impact	5
5. Buy Indiana	5
6. Minority Business Enterprise Subcontractor Commitment	5 ( 1 bonus point is available, see Section 3.2.6)
7. Women Business Enterprise Subcontractor Commitment	5 ( 1 bonus point is available, see Section 3.2.6)
8. Indiana Veteran Business Enterprise (IVBE) Subcontractor Commitment	5 (1 bonus point is available, see Section 3.2.7)
<b>Total</b>	<b>100 (103 if bonus awarded)</b>

All proposals will be evaluated using the following approach.

**Step 1**

In this step proposals will be evaluated only against Criteria 1 to ensure that they adhere to Mandatory Requirements. Any proposals not meeting the Mandatory Requirements will be disqualified.

**Step 2**

The proposals that meet the Mandatory Requirements will then be scored based on Criteria 2 and 3 ONLY. This scoring will have a maximum possible score of 75 points with a potential of 5 bonus points if certain criteria are met. All proposals will be ranked on the basis of their combined scores for Criteria 2 and 3 ONLY. This ranking will be used to create a “short list”. Any proposal not making the “short list” will not be considered for any further evaluation.

Step 2 may include one or more rounds of proposal discussions, oral presentations, clarifications, demonstrations, etc focused on cost and other proposal elements. Step 2 may include a second “short list”.

### Step 3

The short-listed proposals will then be evaluated based on all the entire evaluation criteria outlined in the table above.

If the State conducts additional rounds of discussions and a BAFO round which lead to changes in either the technical or cost proposal for the short listed Respondents, their scores will be recomputed.

The section below describes the different evaluation criteria.

3.2.1 Adherence to Requirements – Pass/Fail  
Respondents passing this category move to Phase 2 and proposal is evaluated for Management Assessment/Quality and Price.

3.2.2 Management Assessment/Quality – **40** available points

3.2.3 Price – **35** available points

Cost scores will then be normalized to one another, based on the lowest cost proposal evaluated. The lowest cost proposal receives a total of 35 points. The normalization formula is as follows:

- *Respondent's Cost Score = (Lowest Cost Proposal / Total Cost of Proposal) X 35*

3.2.4 Indiana Economic Impact (5 points)

See Section 2.6 for additional information.

The total number of full time equivalent (FTE – please see Section 1.2 for a definition of FTE's) Indiana resident employees for the Respondent's proposal, to execute the scope of work proposed in this RFP, (prime contractor and subcontractors) will be used to evaluate the Respondent's Indiana Economic Impact. Points will be awarded based on a graduated scale. The Respondent with the most Indiana FTEs will be awarded 5 points. Points will then be awarded to the remaining Respondents proportionately. Please see Attachment C, Indiana Economic Impact Form, for more detailed instructions.

3.2.5 Buy Indiana Initiative – 5 points

Respondents qualifying as an Indiana Company as defined in Section 2.7 will



receive 5 points in this category.

**3.2.6 Minority (5 points) & Women's Business (5 points) Subcontractor Commitment - (10 points).**

The following formula will be used to determine points to be awarded based on the MBE and WBE goals listed in Section 1.20 of this RFP. Scoring is conducted based on an assigned 10-point, plus possible 2 bonus-points, scale (MBE: Possible 5 points + 1 bonus point, WBE: Possible 5 points + 1 bonus Point). Points are assigned for respective MBE participation and WBE participation based upon the BAFO meeting or exceeding the established goals.

If the respondent's commitment percentage is less than the established MBE or WBE goal, the maximum points achieved will be awarded according to the following schedule:

%	1%	2%	3%	4%	5%	6%	7%	8%
Pts.	.625	1.25	1.875	2.5	3.125	3.75	4.375	5.0

*NOTE: Fractional percentages will be rounded up or down to the nearest whole percentage. (e.g. 7.49% will be rounded down to 7% = 4.375 pts., 7.50% will be rounded up to 8% = 5.00 pts.)*

If the respondent's commitment percentage is rounded down to 0% for MBE or WBE participation the respondent will receive 0 points.

If the respondent's commitment percentage is 0% for MBE or WBE participation, a deduction of 1 point will be discounted on the respective MBE or WBE score.

The respondent with the greatest applicable CUF participation which exceeds the stated goal for the respective MBE or WBE category will be awarded 6 points (5 points plus 1 bonus point). In cases where there is a tie for the greatest applicable CUF participation and both firms exceed the goal for the respective MBE/WBE category both firms will receive 6 points.

**3.2.7 Indiana Veteran Business Enterprise Subcontractor Commitment - (5 points).**

The following formula will be used to determine points to be awarded based on the IVBE goal listed in Section 1.22 of this RFP. Scoring is conducted based on an assigned 5-point, plus possible 1 bonus-point, scale. Points are assigned for IVBE participation based upon the BAFO meeting or exceeding the established goals.

If the respondent's commitment percentage is less than the established IVBE goal, the maximum points achieved will be awarded according to the following

schedule:

%	0%	0.6%	1.2%	1.8%	2.4%	3%
Pts.	-1	1	2	3	4	5

*NOTE: Fractional points will be awarded based upon a graduated scale between whole points. (e.g. a 0.3% commitment will receive .5 points and a 1.5% commitment will receive 2.5 points)*

If the respondent's commitment percentage is 0% for IVBE participation, a deduction of 1 point will be assessed.

The respondent with the greatest applicable CUF participation which exceeds the stated goal for the IVBE category will be awarded 6 points (5 points plus 1 bonus point). In cases where there is a tie for the greatest applicable CUF participation and both firms exceed the goal for the IVBE category both firms will receive 6 points.

### 3.2.8 Qualified State Agency Preference Scoring

When applicable, pursuant to Indiana Code 5-22-13, a qualified state agency submitting a response to this RFP will be awarded preference points for Minority, Women's, and Indiana Veteran Business Enterprise equal the Respondent awarded the highest combined points awarded for such preferences in the scoring of this RFP.

The Commissioner of IDOA or their designee will, in the exercise of their sole discretion, determine which proposal(s) offer the best means of servicing the interests of the State. The exercise of this discretion will be final.